

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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DITECH FINANCIAL, LLC

Plaintiff,

-against-

LAWRENCE MAJOR, SR., *Individually*
and as Surviving Spouse of Leonora Major,

Defendant.

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**ORDER ADOPTING REPORT
AND RECOMMENDATION**
17-CV-5340 (DRH)(GRB)

Presently before the Court is the Report and Recommendation of Magistrate Judge Gary R. Brown, dated August 30, 2018, recommending that (1) plaintiff's motion for a default judgment be granted and that damages be awarded in the amount of \$333,019.24 for principal damages and \$855.00 for costs; and (2) that a Judgment of Foreclosure and Sale be entered in a form substantially similar to that proposed by plaintiff; and (3) that Kathryn C. Cole, Esq. 1320 RXR Plaza, Uniondale, New York be appointed to serve as referee to effectuate the sale of the property. More than fourteen (14) days have passed since service of the Report and Recommendation and no objections have been filed.

Pursuant to 28 U.S.C. § 636(b) and Fed. R. Civ. P. 72, this Court has reviewed the Report and Recommendation for clear error, and finding none, now concurs in both its reasoning and its result. Accordingly, the Court adopts the August 30, 2018 Report and Recommendation of Judge Brown as if set forth herein. Accordingly,

IT IS HEREBY ORDERED that plaintiff's motion for a default judgment and judgment of

foreclosure and sale is granted and plaintiff is awarded damages in the amount of \$333,019.24 for principal damages plus \$855.00 for costs. The Court will this day enter a Judgment of Foreclosure and Sale consistent herewith.

Dated: Central Islip, New York
September 25, 2018

s/ Denis R. Hurley
Denis R. Hurley
United States District Judge